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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR00-211-TSZ
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 ROBERT ANTHONY JOHNSON,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on July 24, 2006. The United States was represented by AUSA Leonie Grant and the
16 defendant by Jennifer Wellman. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 28, 2000 by the Honorable Thomas S. Zilly
18 on a charge of Armed Bank Robbery (18 U.S.C. § 2113(a) and (d)), and a Judgment was entered
19 on that date sentencing defendant to forty-one (41) months custody and five (5) years supervised
20 release. (Dkt. 24)

21 The conditions of supervised release contained within the Judgment included the standard
22 conditions, plus several special conditions, including Special Condition No. 3, requiring that

01 defendant participate in a program approved by the probation officer for treatment of narcotic
02 addiction, drug dependency, or substance abuse, which may include testing to determine if
03 defendant has reverted to the use of drugs or alcohol. (Dkt. 24, p 4)

04 In an initial application dated June 20, 2006 (Dkt 37), and a supplemental application dated
05 June 27, 2006 (Dkt. 38), U.S. Probation Officer Monique D. Neal alleged the following violations
06 of the conditions of probation:

07 1. Using cocaine on or before April 5, and May 15, 2006, in violation of Standard
08 Condition No. 7;

09 2. Failing to report for drug testing as directed by the U.S. Probation Office on
10 January 3, January 24, February 9, March 6, March 31, May 9, May 18, June 5, June 12, and June
11 19, 2006, in violation of Special Condition No. 3, requiring that defendant participate in a
12 program approved by the probation officer for treatment of narcotic addiction, drug dependency,
13 or substance abuse, which may include testing to determine if defendant has reverted to the use
14 of drugs or alcohol; and

15 3. Using cocaine again on or before June 14, 2006, also in violation of Standard
16 Condition No. 7.

17 Defendant was advised in full as to those charges and as to his constitutional rights.

18 Defendant admitted all three alleged violations and waived any evidentiary hearing as to
19 whether they occurred. (Dkt 44).

20 I therefore recommend the Court find defendant violated his supervised release as alleged
21 in violations 1, 2, and 3, and that the Court conduct a hearing limited to the issue of disposition.
22 The next hearing has been set before Judge Zilly on August 17, 2006.

01 Pending a final determination by the Court, defendant has been remanded to custody.

02 DATED this 11th day of August, 2006.

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04 Mary Alice Theiler
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Thomas S. Zilly
08 AUSA: Leonie Grant
09 Defendant's attorney: Jennifer Wellman
10 Probation officer: Monique Neal
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